

03/07/02
11132 U.S. PTO



23911

PATENT TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53 (b)

Attorney Docket: 381NP/48224CO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

[Handwritten signature]

1050 U.S. PTO
10/09/1514
03/07/02

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/400,437

Filed on September 21, 1999

Of Fumio TAJIMA et al.

Entitled: ROTARY ELECTRIC MACHINE AND ELECTRIC VEHICLE USING THE SAME

Examiner: Tran N. Nguyen

Group: 2834

- X 1. Accompanying this order is a true copy of the prior application as originally filed.
Total pages of specification, claims and abstract: 32
Total pages of drawings: 9
- X 2. New Formal drawings are being filed herewith consisting of 9 sheets, depicting Figures 1-14.
- X 3. Declaration and Power of Attorney:
- a. Newly executed (original or copy)
- b. X Copy from prior application
- i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

 X 5. Cancel original claims 2-8. ✓

 6. Small entity status:

a. A small entity statement is enclosed

b. A statement of small entity status (copy attached) was filed on in the prior application and status as a small entity is still proper and desired.

c. Is no longer claimed

 X 7. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee		\$370		\$740
Total Claims	<u> 1 </u> - 20 = <u> </u>	x 9 = \$	<u> </u>	18 = \$
Ind. Claims	<u> 1 </u> - 3 = <u> </u>	x 42 = \$	<u> </u>	84 = \$
<u> </u> Multiple Dependent Claims		+ 140 = \$	<u> </u>	280 = \$
	Total	\$	<u> </u>	\$740.00

 8. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$.

 X 9. A check in the amount of \$740.00 to cover the filing fee is enclosed.

 X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #381NP/48224CO).

X

1. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/400,437, filed September 21, 1999.--

X

12. Priority of Appln. Nos. 10-273307, filed in Japan on September 28, 1998 and 11-024349, filed in Japan on February 1, 1999, is hereby claimed under 35 U.S.C. 119.

X

13. A certified copy of each said priority document was filed in application Serial No. 09/400,437 on September 21, 1999.

X

14. The prior application is assigned of record to Hitachi, Ltd.

X

15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169

X

- a. The power appears in the original application papers in the prior application.

- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X

- d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Dept.
P.O. Box 14300
Washington, DC 20044-4300

X

16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

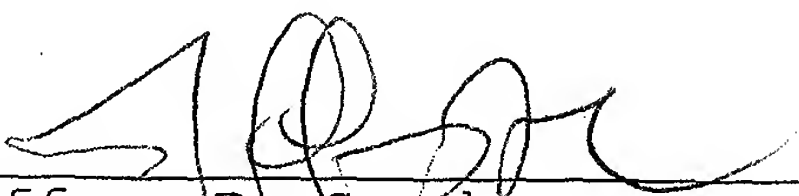
17. A Preliminary Amendment is being filed herewith.

X 18. Return Receipt Postcard.

 19. Other:

Respectfully submitted,

March 7, 2002


Jeffrey D. Sanok
Registration No. 32,169

CROWELL & MORING, LLP
P.O. Box 14300
Washington, D.C. 20044-4300
Tel: (202) 624-2500
Fax: (202) 628-8844

JDS:pct

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

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